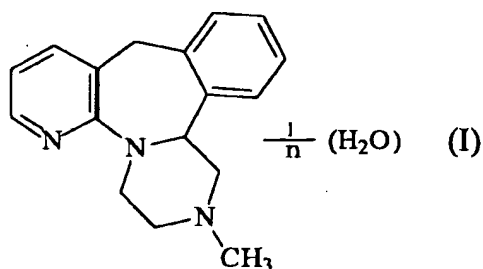


Docket No. 1422-0449P

AMENDMENTS TO THE CLAIMS

1-6. (cancelled)

7. (currently amended) A crystal of a an unlabeled mirtazapine hydrate represented by the formula (I):



wherein n is an integer of 1 to 5.

Claims 8-11. (cancelled)

12. (previously presented) The crystal of a mirtazapine hydrate according to claim 7, wherein the average particle diameter of the crystals is 60 to 150  $\mu m$ .

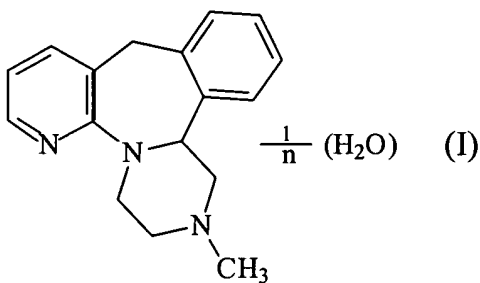
13. (previously presented) The crystal of a mirtazapine hydrate according to claim 7, wherein the crystal is pulverized.

14. (previously presented) The crystal of a mirtazapine hydrate according to claim 13, wherein the average particle diameter of the pulverized crystals is 10 to 70  $\mu m$ .

15. (previously presented) The crystal of a mirtazapine hydrate according to claim 13, wherein the average particle diameter of the pulverized crystals is 20 to 60  $\mu\text{m}$ .

16. (previously presented) A method for treating a human suffering from depression, comprising administering a pharmaceutically acceptable composition prepared from an effective amount of mirtazapine crystals having a hygroscopic degree of not more than 0.6% by weight when the crystals are stored in the air having a relative humidity of 75% at 25°C under atmospheric pressure for 500 hours.

17. (previously presented) The method according to claim 16, wherein the mirtazapine crystals have been prepared by a process comprising drying crystals of a mirtazapine hydrate represented by the formula I:



wherein n is an integer of 1 to 5.